

CHAPTER 19.

H. F. No. 54.

An act to amend chapter 361 of the Laws of 1901, relating to terms of the district court in and for Kanabec county, and for the hearing and trial of all matters, except issues of fact, by a jury.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter 361 of the laws of 1901, approved April 13th, 1901, be amended so as to read as follows:

Terms of court in Kanabec county, 1st district.

A general term of the district court in and for the county of Kanabec, in the First judicial district, shall be held in and for said county on the third Tuesday in August, in each year, for the trial and determination of both criminal and civil business and cases. *Provided*, that no grand or petit jury shall be drawn or summoned unless the court shall direct by a written order made and filed with the clerk of said court at least twenty days before the holding of said court.

Grand or petit jurors drawn by order of court.

SEC. 2. Cases on the calendar of said court for trial at such term may by the order of said court be continued to the next general term of said court.

Continuance of cases.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved Feb. 20, 1903.

CHAPTER 20.

S. F. No. 50.

An act relating to the tax paid by fire insurance companies upon premiums received by them in this state, and providing for the appropriation and expenditure thereof.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Every fire insurance company doing business in this state shall as a part of its annual statement, required by sections twelve (12) and thirteen (13) of title three (3), chapter one (1), of General Laws one thousand eight hundred and seventy-two (1872), incorporate therein a statement of the amount of cash premiums received in each city, town, village or other municipal corporation in the State of Minnesota, having an organized fire department.

Fire insurance companies.

Statement of cash premiums received in villages having fire department.

Duty of village clerk.

SEC. 2. The recorder or clerk of any city, town, village or other municipal corporation having an organized fire department shall, on or before the thirty-first (31st) day of October in each year, make and file with the insurance commissioner his certificate, stating the existence of such department, the number of steam, hand or other engines, hook and ladder trucks, hose carts and number of feet of hose in actual use, the number of organized companies, and the system of water supply in use in such department, together with such other facts as such insurance commissioner may require.

Commissioner's blanks.

SEC. 3. The insurance commissioner shall embody in his annual statement blank a blank form, with the names of the towns thereon entitled to benefits under this act, and require the companies to report at the time of making their annual statements the amount of premiums received by them during the year ending December thirty-first (31st) in each and all of the several towns named in said blank, and thereafter and before the first (1st) day of July, the insurance commissioner shall certify to the state auditor the names of the towns, cities, villages or other municipal corporations which have organized fire departments as reported to him under section two (2) of this act, and the amount of premiums received by said companies in each of said towns, cities, villages or other municipal corporations, and the amount of tax paid in such year by said companies upon such premiums.

Certify to state auditor.

State auditor to deliver warrants.

SEC. 4. The state auditor, at the end of the fiscal year, shall issue and deliver to the treasurer of any such city, town, village or other municipal corporation, his warrant upon the treasurer of state for an amount equal to the total amount of the existing two (2) per cent tax so paid by such fire insurance companies upon the premiums by them received in any such city, town, village or other municipal corporation as specified in the said certificate of said insurance commissioner.

State treasurer to pay to municipal treasurer.

SEC. 5. The treasurer of state is hereby authorized and directed to, and upon the presentation to him of the said warrant of said auditor, he shall pay to the treasurer of any such city, town, village or other municipal corporation, out of the general revenue fund of this state, the amount in such warrant specified.

Special fund.

SEC. 6. The amount so paid to any city, town, village or other municipal corporation under the provisions of

this act shall be by it set aside as a special fund, and may be appropriated and disbursed in the same manner that other funds belonging to such city, town, village or other municipal corporation, are appropriated or disbursed, but only for the following purposes, viz :

First—For the relief of sick, injured and disabled members of any fire department in such city, town, village or other municipal corporation, and their widows and orphans.

Relief.

Second—For the payments of pensions for long service to retired members of any fire department in any such city, town, village or other municipal corporation of the state pursuant to the provisions of chapter fifty-five (55), General Laws of eighteen hundred and ninety-seven (1897), which are hereby re-enacted.

Pension.

Third—For the equipment and maintenance of the fire department in any such city, town, village or other municipal corporation.

Equipment of fire department.

Provided, that in case there exists or shall exist a fire department relief association duly organized or incorporated in any such city, town, village or other municipal corporation, said money due said city, town, village or other municipal corporation, as aforesaid, shall be paid to the treasurer of such relief association, instead of to the treasurer of such city, town, village or other municipal corporation.

Fire department relief ass'n to receive money, if there be one.

But the secretary and treasurer of every such relief association shall prepare annually a report of all the receipts and expenditures of such association for the previous year, showing for what purpose the money has been paid and expended, and to whom, which report shall be filed in the office of the town, village or city clerk of the city, town, village or other municipal corporation in which such association is situated, and a duplicate of such report shall also be filed with the state auditor before any money shall be paid to any such relief association. The money paid to such relief association shall be expended only for the relief of sick, injured and disabled members of any fire department in such city, town, village or other municipal corporation, and their widows and orphans, and for the payment of pensions for long service to retired members of any fire department in any such city, town, village or other municipal corporation of the state pursuant to the provisions of chapter fifty-five (55), General Laws of

Annual report of sec'y and treasurer of relief ass'n.

Filing of report.

Moneys expended for what purposes.

eighteen hundred and ninety-seven (1897). For the purposes of this act no substitute fireman or any one serving on probation, or any fireman in a city, town or village having a relief association in its fire department, who is not a member of such relief association, shall be deemed to be a fireman within the meaning of this act. The treasurer of every such relief association, before entering upon the duties of his office, shall give a good and sufficient bond to said relief association, conditioned for the faithful discharge of the duties of his office, and for the safe keeping and paying over, according to law, of all moneys which come into his hands as such treasurer.

Bond.

Consent of council.

Provided further, that no such moneys shall be paid to any such relief association hereafter organized unless such organization is made with the consent of the council or board of trustees of the city, village or town to which the organization belongs.

Duty of public examiner.

And *provided further*, that it shall be the duty of the public examiner, and he is hereby authorized and empowered, when complaint is duly made to him, that the money, or any part thereof paid under the provisions of this act, to the treasurer of any city, town, village or other municipal corporation, or to any of said relief associations, has been or is being expended for purposes other than as aforesaid, to examine the books and financial accounts of the treasurer of such city, town, village or other municipal corporation, or of such relief association, and if said complaint be found true, to report the same to the governor.

Duty of governor and state auditor.

The governor shall thereupon direct the state auditor not to issue any warrant for the benefit of such city, town, village or other municipal corporation or to such relief association until it shall be made to appear to the public examiner, who shall report the fact to the governor that all moneys wrongfully expended as aforesaid has been properly replaced. And the governor may take such further action as the emergency may demand. Said public examiner is further authorized and empowered at any time, in his discretion, to examine the books and financial accounts of the treasurer of any such city, town, village or other municipal corporation, or of any relief association receiving part of said tax and make a report thereof to the governor with his recommendation. And the governor is authorized and empowered to take such action as to him seems proper.

SEC. 7. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved Feb. 20, 1903.

CHAPTER 21.

H. F. No. 135.

An act to legalize certain county bonds heretofore voted and sold under chapter 297 of the General Laws of the State of Minnesota for the year 1895.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all cases where the electors of any county having voted the issue of the bonds of said county, and where, pursuant to said vote, the county commissioners of said county, have after due advertisement sold the bonds of said county for the purpose of constructing and repairing roads and bridges pursuant to chapter 297 of the General Laws of the State of Minnesota for 1895, approved April 5, 1895, and such bonds are defective because the provisions of said chapter authorizing the issue of such bonds to an amount not to exceed 2% of the taxable property valuation of the county is inconsistent with chapter 289 of the laws of 1895, approved April 19, 1895, limiting the amount for which bonds may be issued for the construction of wagon roads and bridges not to exceed 1% of the assessed valuation of the county; the bonds so voted and sold are hereby in all respects legalized and made authorized, and are made binding and valid obligations of the county which has voted and sold the same, according to the terms and at the rate of interest in such bond sale; *provided, however*, that the time when said bonds shall be payable and the rates of interests which said bonds shall bear, are within the limits prescribed by law in such case made; and *provided, further*, that this act shall not effect any suit now pending relative to the legality of any bonds so issued.

Legalizing
county bonds
voted under
ch. 297, 1895.

Provisos.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 3, 1903.